IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO : 334 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 22/11/2004 in WP NO : 21262 OF 2004 on the file of the High Court.)

Between:

M/s. Shanti Hospitals, H. No. 16-2-742F/4, Andhra Bank Colony, Dilsukhnagar, Hyderabad-36, rep. by Smt. T.Veena

..... APPELLANT

AND

The Assistant Provident Fund Commissioner Enforcement, Andhra Pradesh, Brakatpura, Hyderabad.

.....RESPONDENT

Counsel for the Appellant:MR.N.MOHAN KRISHNA

Counsel for the Respondent : MR.R.N.REDDY

The Court made the following Oral Judgment: (per Sri Devinder Gupta, CJ)

Learned single judge by the order impugned has already given more than what the appellant-petitioner could have got. Learned single judge, despite the fact that appellant-petitioner failed to put in appearance before the respondent and suffered an order, has shown lenience in directing the respondent to hear the matter as regards the applicability of the provisions of the Act, subject to the condition of the appellant depositing half of the demanded amount within four weeks and till the matter is decided, he directed the respondent not to enforce the order passed by him. In the event of the appellant-petitioner not coming under the purview of the provisions of the Act, direction was issued to refund the amount to the appellant.

With such an order, no interference is called for in this appeal. However, the period allowed to the appellant-petitioner for depositing the demanded amount has since expired, therefore, we direct that in the event of the appellant-petitioner depositing the amount within a period of four weeks from today, the respondent shall hear the matter and pass appropriate orders.

The writ appeal is accordingly dismissed. No costs.

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DEVINDER GUPTA,CJ

DATE: 3rd March, 2005

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B. SESHASAYANA REDDY,J

Pnb

To

1. The Assistant Provident Fund Commissioner Enforcement, Andhra Pradesh, Brakatpura, Hyderabad

2. Two C.D. Copies